

FORM PTO-1390 (REV 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				3869-24
				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
				To Be Assigned <b>09/936854</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				
INTERNATIONAL APPLICATION NO. PCT/AU00/00411	INTERNATIONAL FILING DATE 05 May 2000		PRIORITY DATE CLAIMED 06 May 1999	
TITLE OF INVENTION <b>CONTROL OF SUPPLIED PRESSURE IN ASSISTED VENTILATION</b>				
APPLICANT(S) FOR DO/EO/US <b>BERTHON-JONES, Michael et al.</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</li> <li><input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>				
Items 11 to 16 below concern document(s) or information included:				
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input checked="" type="checkbox"/> Other items or information: Copy of the International Preliminary Examination Report; Copies of the References cited in the Information Disclosure Statement (3 items); Return Receipt Postcard</li> </ol>				

U.S. APPLICATION NO. (If known) 37 CFR  
To Be Assigned 09936804INTERNATIONAL APPLICATION NO.  
PCT/AU00/00411ATTORNEY'S DOCKET NUMBER  
3869-24

17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ) :**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 1000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	44 - 20 =	24	X \$18.00	\$ 432.00
Independent claims	6 - 3 =	3	X \$80.00	\$ 240.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 270.00

**TOTAL OF ABOVE CALCULATIONS =** \$ 1,942.00

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

+

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =** \$ 1,942.00

	Amount to be refunded:	\$
	charged:	\$

a.  A check in the amount of \$ 1,942.00 to cover the above fees is enclosed.

- b.  Please charge my Deposit Account No. 07-1730 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1730. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

CHURCHILL, Raymond B., Jr.  
GOTTLIEB RACKMAN & REISMAN PC  
270 Madison Avenue  
New York, NY 10016-0601  
US

  
 SIGNATURE:  
 CHURCHILL, Raymond B., Jr.

NAME

44,617

REGISTRATION NUMBER

SC Rec'd PCT/PTO 17 SEP 2001  
09/936854

Attorney's Docket No. 3869-24

IN THE UNITED STATES

[ ] RECEIVING OFFICE (RO/US)  
[X] DESIGNATED OFFICE (DO/US)  
[X] ELECTED OFFICE (EO/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
<u>PCT/AU00/00411</u>	<u>05 May 2000 (05.05.00)</u>	<u>06 May 1999 (06.05.99)</u>

TITLE OF THE INVENTION

**CONTROL OF SUPPLIED PRESSURE IN ASSISTED VENTILATION**

APPLICANT

Michael BERTHON-JONES et al.

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231  
ATTENTION: DO/EO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 CFR 1.10(c))**

I declare that on 17 September 2001 I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EL 803334150US, addressed to the "Box PCT, Commissioner for Patents, Washington, D.C. 20231" and having an express mail certification which I executed, the following papers:

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C.371, duly executed; Copy of the published International Application; Copy of the International Preliminary Examination Report (3 pages); Information Disclosure Statement (2 pages), Form PTO-1449 (1 page) along with the copies of the references cited (3 items); Check for \$ 1,942.00 (filing fees); Preliminary Amendment (3 pages) along with Appendix 1 (2 pages); and Return Receipt Postcard

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Zoya V. Chernina  
(Typed or printed name of person making this verified statement)

Date: 17 September 2001

Zoya Chernina  
(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application))